

**PROCEEDINGS OF THE CITY COUNCIL  
CITY OF LONG BEACH  
SPECIAL MEETING OF MAY 3, 2016**

Present: President Torres and Council Members Eramo, Goggin, Mandel and Moore.

**PUBLIC HEARING:** For the purpose of giving citizens an adequate opportunity to publicly present their views on the General Summary of the Proposed Budget for the year July 1, 2016 through June 30, 2017.

1. Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Smoke-Free Parks and Recreation.

**Summary:** This amendment to the Code will prohibit smoking in City parks and beaches.

*Full text of this Ordinance is available from the Office of the City Clerk, or online at <http://www.longbeachny.gov/councilmeetings>.*

Adopted Unanimously

2. An "Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Ocean Beach Park" was tabled.

3. Resolution Fixing and Providing for the 2016 Season of the Ocean Beach Park.

The season of the Ocean Beach Park for and during the calendar year for 2016 is fixed and determined to be as follows:

Saturday, May 28, 2016; Sunday, May 29, 2016 and Monday, May 30, 2016;

Saturday, June 4, 2016; Sunday, June 5, 2016;

Saturday, June 11, 2016; Sunday, June 12, 2016;

Saturday, June 18, 2016; Sunday, June 19, 2016;

Beginning, Saturday, June 25, 2016, every day to and including Labor Day, Monday, September 5, 2016.

Adopted Unanimously

4. Resolution Authorizing the City Manager to Enter into a Contract for Design/Construction Administration and Construction Inspection Services for the Reconstruction of Pacific Boulevard (between E. Walnut and Broadway).

The City Manager is authorized to enter into a contract with L.K. McLean Associates, P.C., Brookhaven, New York for design/construction administration services for the reconstruction of Pacific Boulevard (between E. Walnut and Broadway) at a cost of \$44,885.80.

Adopted Unanimously

5. Resolution Authorizing the City Manager to Amend the Agreement for Engineering Services in Conjunction with Phase II of the Boardwalk Reconstruction/Permanent Bathroom Structures.

The City Manager is authorized to amend the agreement with LiRo Engineers Incorporated, Syosset, New York for additional work required in conjunction with engineering services for Phase II of the Boardwalk Reconstruction, at a cost of \$135,000.00.

Adopted by Four Affirmative Votes  
Council Member Mandel recused himself from the item

6. Resolution Authorizing Publication for Hearing of a Local Law Amending Subpart C of Related Acts Relating to the Charter of the City of Long Beach Re: A Local Law to Override the Tax Levy Limit Established in General Municipal Law § 3-c.

**Summary:** This local law will override the New York State tax cap.

*Full text of this Local Law is available from the Office of the City Clerk, or online at <http://www.longbeachny.gov/councilmeetings>.*

A Public Hearing will be held at City Hall, 1 West Chester Street, Long Beach, New York, on May 17, 2016 at 7:00 p.m.

Adopted Unanimously

7. Resolution Authorizing Publication for Hearing of a Local Law Amending the Charter of the City of Long Beach Re: Sewer Rents.

**Summary:** This local law will change the rate that sewer charges are billed to 115% of a customer's water usage.

*Full text of this Local Law is available from the Office of the City Clerk, or online at <http://www.longbeachny.gov/councilmeetings>.*

A Public Hearing will be held at City Hall, 1 West Chester Street, Long Beach, New York, on May 17, 2016 at 7:00 p.m.

Adopted Unanimously

8. Resolution Authorizing Publication for Hearing of an Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Various Fees.

**Summary:** This ordinance will change various fees throughout the Code.

*Full text of this Ordinance is available from the Office of the City Clerk, or online at <http://www.longbeachny.gov/councilmeetings>.*

A Public Hearing will be held at City Hall, 1 West Chester Street, Long Beach, New York, on May 17, 2016 at 7:00 p.m.

Adopted Unanimously

9. Resolution Authorizing Publication for Hearing of an Ordinance to Amend the Code of Ordinances of the City of Long Beach Re: Commercial Sanitation and Streets, Sidewalks and Public Ways.

**Summary:** This ordinance will add a "Clean Team" charge to all businesses situated along Park Avenue and West Beech Street, add a base charge to all commercial properties within the City and shall decrease the quarterly charges for the collection of garbage imposed on all commercial establishments within the City by 20%.

*Full text of this Ordinance is available from the Office of the City Clerk, or online at <http://www.longbeachny.gov/councilmeetings>.*

A Public Hearing will be held at City Hall, 1 West Chester Street, Long Beach, New York, on May 17, 2016 at 7:00 p.m.

Adopted Unanimously

10. Resolution Authorizing Publication for Hearing of an Ordinance Authorizing Various Capital Projects In and For the City of Long Beach, Nassau County, New York, Stating the Estimated Total Cost Thereof is \$12,758,270, Appropriating Said Amount Therefor, and Authorizing the Issuance of Not to Exceed \$12,758,270 Bonds of Said City to Finance Said Appropriation

WHEREAS, there has been presented to this Council the following proposed Bond Ordinance:

“BOND ORDINANCE DATED MAY 17, 2016.

AN ORDINANCE AUTHORIZING VARIOUS CAPITAL PROJECTS IN AND FOR THE CITY OF LONG BEACH, NASSAU COUNTY, NEW YORK, STATING THE ESTIMATED TOTAL COST THEREOF IS \$12,758,270, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$12,758,270 BONDS OF SAID CITY TO FINANCE SAID APPROPRIATION.

BE IT ENACTED, by the Council of the City of Long Beach, Nassau County, New York, as follows:

Section 1. The City of Long Beach, Nassau County, New York (herein called the “City”), is hereby authorized to finance the costs of construction, acquisition or undertaking of the various capital projects as described in column B of Schedule I attached hereto and hereby made a part hereof, at the estimated maximum costs indicated in column E of such Schedule I. The total estimated cost of such projects, including preliminary costs and costs incidental thereto and to the financing thereof, is \$12,758,270 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of not to exceed \$12,758,270 bonds of the City to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the aggregate principal amount of not to exceed \$12,758,270 are hereby authorized to be issued in the respective principal amounts indicated in column E of Schedule I for each of the respective objects or purposes indicated in column B of such Schedule I, pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called “Law”), to finance the appropriation referred to herein.

Section 3. The respective periods of probable usefulness of the specific objects or purposes and classes of objects or purposes for which said bonds are authorized are to be issued, within the limitations of §11.00 a. of the Law as referenced in column H of the attached Schedule I, are set forth in column G of the attached Schedule I.

Section 4. The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the City for expenditures made after the effective date of this ordinance for the purpose or purposes for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

Section 5. Each of the bonds authorized by this ordinance and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the City, payable as to both principal and interest by general tax upon all the taxable real property within the City. The faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the City by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 6. Subject to the provisions of this ordinance and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the City

Council relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and relative to executing agreements for credit enhancement, are hereby delegated to the City Comptroller, the chief fiscal officer of the City.

Section 7. The validity of the bonds authorized by this ordinance, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such ordinance or a summary hereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 8. This Bond Ordinance shall take effect immediately, and the City Clerk is hereby authorized and directed to publish the foregoing ordinance, in summary, together with a notice in substantially the form prescribed by §81.00 of the Law in the official newspaper of said City for such publication.

### **Schedule I**

## 2016/17 Capital Projects

Category	Project Name	Project Type	2016 Bond Ord	PPU	LFL Paragraph
<b>GENERAL FUND</b>					
Roads	Design of Roadways- Various	Design	\$ 75,000.00	5yrs	par. 62(2nd)
Roads	Roadway Reconstruction - Various	Reconstruction	\$ 2,650,000.00	15 yrs	par. 20
Roads	Curb/Sidewalk Reconstruction	Reconstruction	\$ 400,000.00	10 yrs	par. 24
Roads	Parking Lot Rehabilitation	Construction	\$ 100,000.00	15 yrs	par. 20
Roads	Stormwater Remediation	Design/Construction	\$ 50,000.00	15 yrs	par. 20
Grounds	Streetscaping	Construction	\$ 250,000.00	15 yrs	par.90
Shoreline	Tide Flex Valve Installation - Various	Construction	\$ 125,000.00	30 yrs	par. 3
Transportation	Vehicle Replacements	Equipment	\$ 80,000.00	3 yrs	par. 77
Transportation	ADA Bus Replacement	Equipment	\$ 130,000.00	10 yrs	par. 29-a
Transportation	ADA Tracking Software	Equipment	\$ 80,000.00	5 yrs	par. 35
Transportation	Bus Shelters	Equipment	\$ 301,500.00	5 yrs	par. 35
Public Safety	Police Department - Vehicles	Equipment	\$ 135,000.00	3 yrs	par. 77
Public Safety	Fire Department - Ambulance	Equipment	\$ 195,000.00	10 yrs	par. 27-a
Public Safety	Fire Department - Equipment	Equipment	\$ 45,000.00	10 yrs	par. 27
Public Safety	Police Department - Technology Upgrades	Equipment	\$ 92,000.00	5 yrs	par. 35
Public Safety	Police Department - Plate Reader	Equipment	\$ 150,000.00	5 yrs	par. 35
Public Safety	Police Department - Signage Material	Equipment	\$ 50,000.00	5 yrs	par. 32
Buildings	Various City Buildings - reconstruction	Design/Construction	\$ 663,000.00	15 yrs	par. 12(a)(2)
Grounds	Tree Replanting	Construction	\$ 75,000.00	5 yrs	par. 57(1st)
Grounds	Fencing - Various	Construction	\$ 40,000.00	5 yrs	par. 35
Parks	Recreational area improvements	Construction	\$ 589,570.00	15 yrs	par. 19(c)
Parks	Playground Equipment Replacement - Various	Equipment	\$ 25,000.00	15 yrs	par. 19(c)
Equipment	Machinery/Equipment - DPW	Equipment	\$ 280,000.00	15 yrs	par. 28
Equipment	Various Equipment	Equipment	\$ 170,200.00	5 yrs	par. 32
Equipment	Various Technology Equipment	Equipment	\$ 202,000.00	5 yrs	par. 32
Various	Eco Dev - Green Infrastructure & Signage	Equipment	\$ 30,000.00	5 yrs	par. 32
Various	Eco Dev - Infrastructure Improvements	Design	\$ 1,000,000.00	5 yrs	par. 62(2nd)
Various	Eco Dev EAF and EIS for Comp Plan	Design	\$ 265,000.00	5 yrs	par. 62(2nd)
Various	Sandy Recovery Services	Design	\$ 100,000.00	5 yrs	par. 62(2nd)
Technology	Phone System Upgrade	Equipment	\$ 250,000.00	5 yrs	par. 32
Technology	Various Software	Equipment	\$ 75,000.00	5 yrs	par. 35
	<b>Total - General Fund</b>		<b>\$ 8,673,270.00</b>		
Sewer	WWTP - Misc. Bldg Repairs	Construction	\$ 50,000.00	15 yrs	par. 12(a)(2)
Sewer	Sewer System improvements	Design/Construction	\$ 1,450,000.00	40 yrs	par. 4
Sewer	Sewer System Pipe and Valve replacements	Equipment	\$ 75,000.00	10 yrs	par. 4
Sewer	Sewer Maint - Equipment/Vehicles	Equipment	\$ 35,000.00	15 yrs	par. 28
	<b>Total - Sewer Fund</b>		<b>\$ 1,610,000.00</b>		
	Various Plant Improvements	Design/Construction	\$ 100,000.00	40 yrs	par. 1
Water	Water system improvements	Design/Construction	\$ 2,200,000.00	40 yrs	par. 1
	Water Distribution - Equipment/Vehicles	Equipment	\$ 175,000.00	3 yrs	par. 77
	<b>Total - Water Fund</b>		<b>\$ 2,475,000.00</b>		
	<b>Total - All Funds</b>		<b>\$ 12,758,270.00</b>		

A Public Hearing will be held at City Hall, 1 West Chester Street, Long Beach, New York, on May 17, 2016 at 7:00 p.m.

Adopted Unanimously

11. Resolution Authorizing Publication for Hearing of an Ordinance Authorizing Financing for Cost of Separation Payments To or For the Benefit of Employees of the City, Stating the Estimated Total Cost Thereof is \$2,950,000, Appropriating Said Amount Therefor, and Authorizing the Issuance of Not to Exceed \$2,950,000 Bonds of Said City to Finance Said Appropriation.

WHEREAS, there has been presented to this Council the following proposed Bond Ordinance:

“BOND ORDINANCE DATED MAY 17, 2016.

ORDINANCE AUTHORIZING FINANCING FOR THE COST OF SEPARATION PAYMENTS TO OR FOR THE BENEFIT OF EMPLOYEES OF THE CITY, STATING THE ESTIMATED TOTAL COST

THEREOF IS \$2,950,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$2,950,000 BONDS OF SAID CITY TO FINANCE SAID APPROPRIATION.

BE IT ENACTED, by the Council of the City of Long Beach, Nassau County, New York, as follows:

Section 1. The City of Long Beach, Nassau County, New York (herein called the "City"), is hereby authorized to finance the cost of separation payments to or for the benefit of employees of the City pursuant to Chapter 258 of the 2012 Laws of New York, at the estimated maximum cost of \$2,950,000. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and to the financing thereof, is \$2,950,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of not to exceed \$2,950,000 bonds of the City to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the aggregate principal amount of \$2,950,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance the appropriation referred to herein.

Section 3. The period of probable usefulness of the specific object or purpose for which said \$2,950,000 bonds herein authorized are to be issued, within the limitations of Section 11.00 a. 85-e of the Law, is five (5) years.

Section 4. The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the City for expenditures made after the effective date of this ordinance for the purpose or purposes for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

Section 5. Each of the bonds authorized by this ordinance and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the City, payable as to both principal and interest by general tax upon all the taxable real property within the City. The faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the City by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 6. Subject to the provisions of this ordinance and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the City Council relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and relative to executing agreements for credit enhancement, are hereby delegated to the City Comptroller, the chief fiscal officer of the City.

Section 7. The validity of the bonds authorized by this ordinance, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such ordinance or a summary hereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or such obligations are authorized in violation of the provisions of the constitution.

Section 8. This ordinance, which takes effect immediately upon the final passage thereof, shall be published in summary form in the official newspaper of said City, together with a notice of the City Clerk in substantially the form set forth in paragraph a of Section 81.00 of the Local Finance Law.

A Public Hearing will be held at City Hall, 1 West Chester Street, Long Beach, New York, on May 17, 2016 at 7:00 p.m.

Adopted Unanimously

All Resolutions are available for inspection in the Office of the City Clerk during regular business hours.

Dated: May 4, 2016

David W. Fraser  
City Clerk